

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 2581**

January 15, 2010

**SUMMARY OF BILL:** Requires health care providers with actual knowledge that a person has knowingly, willfully, and with the intent to deceive, obtained or attempted to obtain controlled substances to report to local law enforcement. The amount of time to report is extended to five days from three days and the reporting requirements are extended to certified nurse practitioners who have prescription writing authority. The reporting requirements would not apply to any physician, certified nurse practitioner, or physician assistant who is providing treatment to a person with a mental illness or a person who is enrolled in TennCare. If the health care provider's knowledge is a result of accessing the Controlled Substance Database, local law enforcement may receive only pertinent information from the Database for the 30 days prior to treatment. Sanctions against a health care provider for failure to make a report are limited only to a civil penalty by the provider's licensing board in cases in which a pattern of willful failure to make such reports has been established.

**ESTIMATED FISCAL IMPACT:**

**Increase State Revenue - Not Significant/Health Related Boards**

**Increase State Expenditures – Not Significant/Health Related Boards**

**Increase Local Expenditures – Not Significant**

Assumptions:

- Changes in the reporting requirements will not have a significant impact on local government expenditures for local law enforcement to investigate individuals suspected of deceitfully obtaining or attempting to obtain a controlled substance.
- Any civil penalties sanctioned by a health related board on a licensee will not result in a significant increase in revenue or expenditures to the board.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large initial "J" and a distinct "W".

James W. White, Executive Director

/kml